

CASE NAME: United States v. Mustafa Ozsusamlar & Osman Ozsusamlar

DATE: September 8, 2005

TIME: 2:48 p.m.

DURATION: 20 min.

PARTICIPANTS:

M. Bailey= FBI Agent Melvin F. Bailey

Murat= Murat Batca

Dilek= Dilek Batca

CW= Cooperating Witness

ABBREVIATIONS:

UI

I/A

SPEAKER	TURKISH	ENGLISH
CW	Merhaba,.. Murat beyle gorusebilir miyiz?	Hello, .. can we talk with Mr. Murat?
U.F.	Kim ariyor?	Who is looking for him?
CW	Ah..Bronx'tan Joe diyebilir misiniz?	Ah.. Can you say Joe from the Bronx?
U.F.	Efendim?	What's that?
CW	Bronx'tan Joey bir Turk arkadasiyla birlikte sizle gorusmek istiyorlar diyebilir misiniz? Ozel gorusmek istiyoruz.	Can you tell him "Joey from Bronx, with a Turkish friend wants to talk to you?" We want to talk privately.
CW	Murat bey?	Mr. Murat?
Murat	Evet..	Yes..?
CW	Merhaba,..Nasilsiniz?	Hi!, How are you?
M.Bailey	How you doin?	How you doin?
CW	Musaadenizle siz, bii.. bir iki dakika ozel gorusmek istiyoruz sizinle..	With your permission, we want to talk with you for a couple of minutes..
Murat	Vallahı buyurun isterseniz burada oturabiliriz.	Sure, we can sit here if you want..
CW	Burada UI musait olacak mi?	Do you think it will be convenient here?
Murat	Valla,..ofiste..	I mean,.. in the office,..
CW	Rahatsız etmek istemiyoruz gerci ama..	Although we don't want to bother you..
Murat	Yok.. sadece UI. Ofise,...	No, just UI the office...

GOVERNMENT
EXHIBIT

20-T1

S1 05 Cr. 1077 (PKL) (JD)

CW	Kusura bakmayin yani..	Please excuse us..
Murat	Yok..	It's all right..
M.Bailey	Hi..	Hi..
CW	Oooh be,..	Ohh how nice,..
M.Bailey.	Nice office UI	Nice office UI,..
Murat	Thank you, thank you,.. UI,..	Thank you , thank you,..UI,..
M.Bailey.	A lot better than the Bronx.	A lot better than the Bronx..
CW	Ah,.. Ben oncelikle sunu soleyeyim, ben tercumeye geldim buraya, gerci sizin Ingilizcenizin oldugunu tahmin ederek beni aldilar yanlarina ama,.. Konusmanin temeli Mustafa,..	Ah,.. I want to say this first, I came to interpret. Although they thought you speak English, they took me with anyway,.. The subject of this conversation is Mustafa..
Murat	Mustafa,..?	Mustafa,..?
CW	Hapiste su anda olan ve aranizedaki para konusu,..	The one who is in jail right now and the subject of money between you two..
Murat	Hu hum...	Hu hum....
CW	Buraya gelme amacları, ah,..sizinle bu konuda gorusmek, bu konunun obur tarafını dinlediler, karsi tarafı dinlediler, ee, yani sadece konusmak istiyoruz, sizin tarafindan nedir bu olayın ee, detayları, ona gore bu konuyu sonuclandirmak istiyoruz. Musaitseniz bu konuyu acmak istiyoruz, ne diyorsunuz? 283.000 Dolar gibi bir paradan bahsediliyor, 400.000 Dolar gibi bir rakkam varmış, bir bolumu odenmiş, Bana anlatılan story bu ben de aynısını size soyluyorum, kendisi bana anlattı ki ben de size bileyim bu konuyu Turkce UI diye, neden bir bolumu odendi, neden geri kalani odenmiyor, ee, oglanın buraya geldigini biliyoruz, bize bu konuda biraz bilgi verirseniz neyin ne oldugunu bileyim ona gore, yani kimsenin,.. biz sadece konusmak istiyoruz.	The reason they are here is,..ah,..to talk to you on this subject, they listened to the other party, the other side of the story, ee,, I mean we only want to talk, what is your side of the story, what are the details of this subject, we would like to finalize this. If it's okay we would like to talk to you about this subject, what do you say? They talk about a sum of 283.000 Dollars, the original figure was 400.000 Dollars, a portion was paid, That's the story I have been told, and I am telling you the same, he told me this so that I know the subject and tell you in Turkish UI why a portion was paid? Why the rest is not being paid?, eh, we know the guy was here, if you could provide some information on this subject so that we know what is what, i mean nobody should,.. We only want to talk..
Murat	Hu hum, Oldu,.... Siz,.. Kimsiniz..?	Hu hum,..Done, who are you?
CW	Joe, Mustafa tarafindan geliyor, Mustafanın yollaması UI, yani Mustafa konusmak istiyor.. O yuzden,.. bilmek istiyoruz nedir?	Joe, he comes from Mustafa, Mustafa sent him, UI I mean Mustafa wants to talk, .. That's why we want to know, what that is? Frankly, they turned the

	Acikcasi , parayi bunlara devretmisler. UI ama bu taraf bilmek istiyor, nedir? dogru mudur? var midir oyle birsey?, nedir icerigi? nedir alinis? nedir verilmis? ne kadar kalmis? kalmissa odenecek mi? ne yapilacak UI,..	money over to these. UI but this side wants to know what that is? Is it true?, is there something like this?, what's it all about? how was it taken?, how was it paid back?, how much is left?, will the remainder be paid? What is to be done?.. UI..
Murat	Valla,..UI esim ugrasiyordu benim, benim fazla bir bilgim yok ondan,..	I mean, UI, my spouse was dealing with that, I don't have so much information about that.
CW	Nedir durum yani bize anlatir misiniz?	What's the situation can you let us know?
Murat	Iste durumu da bilmiyorum... Durumu ben, ne borc kalmis, ne borc alinmis, hic onlaradan haberim yok benim.	That's what I'm saying, I don't know the situation.. What was borrowed what was left unpaid, I have absolutely no idea..
CW	Esiniz durumu bize anlatabilir mi?	Can your spouse tell us..?
Murat	Ah, esim burada..	Ah, my spouse is here,...
CW	Kendisi bize anlatsin o zaman biz ona gore UI,..	Then let her tell us than we will do accordingly,..UI..
Murat	Bir saniye,..	One second,..
M. Bailey	Right, Right..	Right, Right..
CW	UI He doesn't know anything. His wife is gonna tell us the details about this money, he's gonna speak to his wife so she can tell us.	UI He doesn't know anything. His wife is gonna tell us the details about this money, he's gonna speak to his wife so she can tell us.
CW	UI...	UI...
Dilek	Hello,...	Hello,...
M. Bailey	Hi..!	Hi..!
Dilek	UI,..	UI,..
CW	Durumu izah ettigim gibi, Mustafanin arzusuyla geliyoruz biz buraya, UI (Shuffling noise) para konusunda bize soleyebileceginiz ne var onu istiyoruz, cunku biz obur tarafı dinledik,..	As I explained the situation, we are coming here upon Mustafa's request, UI. (shuffling noise), we want to hear whatever you can tell us about the money, because we already listened to the other side.
Dilek	Ah,..	Ah,..
CW	283.000 Dolarlik bir alacaktan bahsediyorlar,..	They are talking about a credit of 283.000 Dollars..
Dilek	Nereden..?	From where..?
CW	Sizden, alacaklari oldugunu soyluyorlar, siz bize, derseniz ki nedir ona gore ben kendilerine UI ben sadece tercumanim, UI (voices overlap)	From you, they say you owe them, if you tell us what's what then i will be able to tell them UI I am only the interpreter, UI (voices overlap)
Dilek	No,.. Biz ondan,..	No,.. We,.. from him,..

CW	Bana anlatırsanız,,,	If you tell me,,,
Dilek	Biz ondan, biz ondan 150.000 Dolar almıştı, kampanya olarak, 150.000 Dolar almıştı onun 100.000'i her ay uc bin, uc bin kendisine ödendi... Osman da biliyor, babası da biliyor.	We got from him, we got 150.000 Dollars, as a company, we got 150.000 Dollars, out of that 100.000 is paid back as monthly installments of 3.000 Dollars. Osman knows that and his father knows that.
CW	Okay,,,	Okay,,,
Dilek	Kalan 50.000 Dolar, ama o kampanyada su anda uc kardeşin adınaydı, ucusu... ikisi de burada yok, ki benim de su anda onu çıkarıp verecek durumum yok. Yani Osmana söylemistim, kendisine izah etmisti, Osman kendisi de biliyor,	The remainder is 50.000 Dollars, but, that company was in the name of three brothers, three,... two of them are not here now, and i don't have the means to put up with that kind of money right now. I had told Osman I had explained to him. Osman knows himself too.
CW	UI, peki 400.000 Dolardan bahsediliyor, UI birsey yok o zaman...	UI, all right,,.. there is the talk of 400.000, UI then there is no such thing..?
Dilek	Bizde hayatı yok,,,	With us, not on your life,,,
CW	Yani netice itibariyle bu güne kadar alınan para toplam, 150.000 Dolar,	This means, as a result the money received by you is a total of 150.000 Dollars,,.
Dilek	yeah,,, Kampanyaya borc olarak verilen 150.000 Dolar..	Yeah,,, 150.000 Dollars given as a loan to the company company..
CW	Hu hum...	Hu,,,hum..
Dilek	Ondan sonra her ay biz ona uc bin, uc bin çekler var, kendilerinde de var, her ay 3.000 Dolar odedik.	After that we paid him 3.000 every month, we have the checks, they have them too, we paid 3.000 Dollars every month.
CW	Siz borc olarak mı aldınız onlardan?..	Did you get this as a loan?
Dilek	Yeah..	Yeah,,,

The rest of the conversation is in English.....

/mg

CASE NAME:

DATE: September 8, 2005

CD NO: 3 [Call 1 of 1]

TIME: 2:47PM

MB
3/28/06

PARTICIPANTS:

COOPERATING WITNESS = CW

DILEK BATCA = DB

MURAT BATCA = MB

JOEY = NUCE3135

UNIDENTIFIED FEMALE = UF

ABBREVIATIONS:

UNINTELLIGIBLE = UI

INAUDIBLE = I/A

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JOEY: This is Special Agent Melvin F. Bailey, re-activated by recording. The time is approximately 2:47PM. The date is ah, September ah, 8, 2005. Meeting ah, [UI] Rick?

CW: [UI]

[Music in Background]

JOEY: [Music in Background] [Voices in Background]. Lake ah, Lakeview Avenue, 385, there's a right side and a left. Patterson. See the number, it's 385, 148.

[Traffic Noise in Background]

CW: Hey. How you're doing. [UI]

UF: [UI].

ENGLISH TRANSLATION

ORIGINAL LANGUAGE

Melvin F. Bailey

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/mg

CW: [UI]

UF: [Foreign Language].

CW: [Foreign Language]

MB: [UI].

UF: [UI].

JOEY: Nice office. A lot better the Bronx.

CW: [UI]

MB: [UI] Came to this.

CW: [UI].

MB: Language Translation].

CM: [UI].

UF: [Voice in Background]

CW: [UI]

MB: Right. Right.

CW: [UI] His wife is gonna tell us the details about this money, he's gonna speak to his wife and she's gonna tell us.

DB: [UI] [Voice in Background]. Hello.

CW: Hi.

DB: [Foreign Language].

CW: Okay. So basically they got one hundred, fifty thousand dollars. They paid back one hundred thousand dollars by checks. Monthly. Three thousand dollars checks.

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So there's left only fifty thousand dollars. But the company who got money, there was two brothers. Right?

DB: Uh huh. Which is there is not here.

JOEY: So you borrowed money from somebody else?

CW: Yes. Look like that.

DB: They have that money. You know. For the company they got it with the check. Everything is normal on the papers. But when we pay, we pay every month three thousand, three thousand to the his son and he knows that. Both of them know that. Which is like, we have if the company which is that company that owner is not here. There's nothing to do with me. They have fifty thousand dollars right now but they are not here.

CW: Okay. Uh.

JOEY: When are they coming back?

DB: [UI] through all this month they are not going to come back. He can't come back.

JOEY: Uh huh.

DB: The other one, sometimes he comes almost ~~two years~~; he didn't show up here.

CW: So is it any idea with them ah why are they asking about two hundred and eighty three thousand dollars?

DB: I mean if they have any problems, let them come or let them call me. Let them talk to me because we had no, for a hundred we, now have two hundred. They know. We have the check. We have no other documents. They never paid nobody a hundred or I mean, four hundred, or two hundred. Where they get that idea?

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JOEY: I mean that's like they owe us some money. So it's like, of course they pass the buck [UI].

DB: [UI] I have everything.

JOEY: That's about [UI] yeah, I mean that's ah....

DB: There's nothing illegal or nothing wrong. I got it with the check with the company, everything is on the paper. We paid them [UI] you can see, we have the check, every month three thousand, three thousand dollars.

JOEY: You have a contract ah?

DB: No. No. There's no contract. There's nothing.

JOEY: Just to pay three thousand in checks?

DB: Yes.

JOEY: And the company here? No checking....

DB: No that company is no longer there, in business. It's gone.

JOEY: So when is the last time you paid them money?

DB: The hundred, after the hundred we didn't pay monthly.

MB: No, when is the last time two years.

DB: [UI]. After, I don't know I have to check my files. Because we paid his son Ozie. So I don't know. I will you know....

MB: Round about date, Two years? one year, two years, something like that he wants to know, that's it.

/mg

DB: I don't know. Before one, after one, I don't remember.

JOEY: Mean that's the thing. I don't want to go into any specific what we are dealing with were dealing with saying you in over two hundred and eighty [UI] thousand dollars.

DB: I mean who is telling you guys they owe us four hundred, we owe them four hundred.

MB: The question is who is asking who to eliminate three thousand dollars?

DB: How they get that idea?

JOEY: I this is ah from Mustafa.

DB: No. He got the check, he know we can go to bank. We can get all the statements he needs. Four hundred, yeah right, he used to work which that bank, Wachovia or PNC, I'm not sure. I have the copy, I have everything [UI] like I can take my file out, no problem anytime. Because hundred fifty, was one hundred fifty, hundred pay back, and hundred and fifty left. [UI] money [UI].

MB: Right now we don't have the capability.

JOEY: [UI] sure that guy to come back for it.

MB: Yeah, we don't have the capability ah you know or anything like that and we just barely surviving.

JOEY: And that people that's ah involved in this company, you friends of yours or just family.

DB: No, he was my brother in law.

MB: My two brothers, they screwed me out of everything.

/mg

DB:

The point is, if they gonna ask for the fifty, that means right now if we can't pay right now, we can't pay it right now because we don't have that much. Cause we couldn't afford that. But ah If I go to the different, the two brothers, I don't know. Because them, them the owner of the company. Not me. Not me.

MB:

Before, not now.

DB:

That's right. So. I just want to know, I mean if Mustafa has a problem, he can call me. Or Ozzy can call me, Ozzy can come here. He comes here all the time, what, never told me four hundred or three hundred.

JOEY:

That's ah that's the word I got. Ah two hundred and eighty. Ah I don't know what ah, ah the limit or the balance was but now it suppose to be [UI]. Two hundred and eighty.

DB:

[UI] counting with the bank I mean I didn't do nothing wrong with them. They give me hundred fifty which everything on the paper, bank statement, the statement, that statement, my statement, and we paid three thousand every month, we have that.

JOEY:

Is that something ah just like in ah let me talk to my people. Is that something you can pull up, like a bank statement to show?

DB:

Sure.

JOEY:

If ah....

DB:

Hundred fifty?

JOEY:

Yeah. Ah hundred and fifty.

DB:

He can go to his bank too. He can go to his bank and take the file.

/mg

JOEY: But you know what I am saying, he saying one thing, you're telling me something else.

DB: I can prove that no problem.

JOEY: If, if he got that we can go back ah to his people and what's the deal here.

DB: If it take problem, I would even go to his bank. I know the owner. I will get the statement from that because they're not gonna give me that statement but I can, I have file I can pull my files. I call bank, I will go to bank together, I will get the hundred fifty thousand made up to do my company, or their company that's fine. No problem.

JOEY: Alright. Alright. I mean that's, let me talk to my people and you're usually here during the day or okay?

DB: Yeah. I'm here always.

JOEY: Alright.

MB: She's the boss.

DB: I'm here always.

JOEY: The ladies always are. Aren't they? But ah yeah I'll, I'll I wanna let you know....

DB: When did you see Mustafa.

JOEY: Huh?

DB: When did you see Mustafa.

JOEY: I was asking people ah I am dealing with so they, they deal with him.

DB: So they, does Mustafa owe you guys money?

JOEY: They hey [UI] I would rather not go into

/mg

it. [UI].

DB: Four hundred?

MB: Don't ask.

DB: Why? he ask me, I have to know.

JOEY: Well hey just say it's concerning money.

DB: Oh.

JOEY: Everything is with money. You know. So ah let me ah I will talk to my people, and get back to you. If you would pull that up and I'll appreciate your help. Alright?

DB: [UI].

JOEY: Huh? Well. I mean yeah its ah....

DB: Can I have your name too by the way.

JOEY: Yeah, It's Joe. Joey. Friends call me Joey.

DB: And Mustafa knows you're here?

JOEY: Huh. Yeah. Yeah.

DB: Mustafa know you're gonna come here. [UI]. [UI] can't get....

MB: Huh?

DB: Do you have any ID with you I can get, any ID?

MB: Yeah.

JOEY: No, no, Some people don't deal with ID's. I know you do.

DB: That's right.

JOEY: That's your business.

/mg

DB: Okay, can you put your name and phone number. No. [UI] say Joe came in and [UI] ask about the.

JOEY: Alright. So. Alright.

DB: Any problems [UI]. It's okay. Anytime.

JOEY: Alright.

[Traffic Noise in Background]

Special Agent Melvin F. Bailey de-activating body recording device. The time is approximately 3:07PM.

[End of Conversation]